

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-16 and 24-29 are pending in this case. Claims 1-4, 15, and 25 are amended and new Claims 27-29 are added by the present amendment. As amended Claims 1-4, 15, and 25 and new Claims 27-29 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 1-4 and 15 were objected to; Claims 1, 2, 6, 9-11, 13, and 25 were rejected under 35 U.S.C. §103(a) as unpatentable over Alexander et al. (U.S. Patent No. 6,177,931, hereinafter "Alexander") in view of Picco et al. (U.S. Patent No. 6,029,045, hereinafter "Picco"); Claim 3 was rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Hölzle et al. (U.S. Patent No. 5,970,249, hereinafter "Hölzle"); Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Winston (U.S. Patent No. 6,434,653); Claim 7 was rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Russo (U.S. Patent No. 5,619,247); Claim 8 was rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Kostreski et al. (U.S. Patent No. 5,729,549, hereinafter "Kostreski"); Claims 12, 24, and 26 were rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Trovato (U.S. Patent No. 6,701,526); and Claims 14-16 were rejected under 35 U.S.C. §103(a) as unpatentable over Alexander and Picco and further in view of Inoue et al. (U.S. Patent Publication No. 2002/0016963 A1, hereinafter "Inoue").

Initially, Applicants and Applicants' representatives thank Examiners Beliveau and Sheleheda for the courtesy of the interview granted to Applicants' representatives on October

¹See, e.g., the specification at page 15, line 8 to page 16, line 22.

10, 2006. During the interview, differences between the claims and Alexander and Picco were discussed. Examiners Beliveau and Sheleheda agreed that a proposed amendment to Claim 1 appeared to overcome the rejections of record. This proposed amendment to Claim 1 is presented herewith.

Claim 25 is amended to correct an informality.

With regard to the objection to Claims 1-4 and 15, Claims 1-4 and 15 are amended herewith as suggested in the outstanding Office Action. Accordingly, the objection to Claims 1-4 and 15 is believed to be overcome.

With regard to the rejection of Claim 1 under 35 U.S.C. §103(a) as unpatentable over Alexander in view of Picco, that rejection is respectfully traversed.

Amended Claim 1 recites in part, “a processor configured to periodically extract all of the plurality of sets of the broadcast data service data from a *broadcast carousel* included in the broadcast signal.”

Alexander describes an electronic program guide with which a main television stream can be watched, for instance in the PIP window 12, simultaneously with advertisements, for instance in ad windows 14 or 16.² The outstanding Office Action cited the circuit board described in column 5, lines 21-28 of Alexander as “a processor” as recited in Claim 1.³ However, it is respectfully noted that Alexander does not describe that this circuit board is configured to periodically extract all of the plurality of sets of the broadcast data service data from a *broadcast carousel* included in the broadcast signal, as Alexander does not describe a broadcast signal including a broadcast carousel. Thus, the circuit board described in column 5, lines 21-28 of Alexander is not “a processor” as defined in amended Claim 1.

Further, Picco describes adding local content to a broadcast stream, and thus is not concerned either with broadcast data service as recited in Claim 1 or an EPG as described by

²See Alexander, Figure 1.

³See the outstanding Office Action at page 3, lines 21-23.

Alexander. Specifically, Picco does not teach or suggest a broadcast signal including a broadcast carousel. Thus, Picco does not teach or suggest “a processor” as defined in amended Claim 1 either.

Consequently, as Alexander and Picco do not teach each and every element of amended Claim 1, Claim 1 (and Claims 2-16 and 24-26 dependent therefrom) is patentable over Alexander in view of Picco.

With regard to the rejection of Claim 3 as unpatentable over Alexander in view of Picco and further in view of Hölzle, it is noted that Claim 3 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Hölzle does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claim 3 is patentable over Alexander in view of Picco and further in view of Hölzle.

With regard to the rejection of Claims 4 and 5 as unpatentable over Alexander in view of Picco and further in view of Winston, it is noted that Claims 4 and 5 are dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Winston does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claims 4 and 5 are patentable over Alexander in view of Picco and further in view of Winston.

With regard to the rejection of Claim 7 as unpatentable over Alexander in view of Picco and further in view of Russo, it is noted that Claim 7 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Russo does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claim 7 is patentable over Alexander in view of Picco and further in view of Russo.

With regard to the rejection of Claim 8 as unpatentable over Alexander in view of Picco and further in view of Kostreski, it is noted that Claim 8 is dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Kostreski does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claim 8 is patentable over Alexander in view of Picco and further in view of Kostreski.

With regard to the rejection of Claims 12, 24, and 26 as unpatentable over Alexander in view of Picco and further in view of Trovato, it is noted that Claims 12, 24, and 26 are dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Trovato does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claims 12, 24, and 26 are patentable over Alexander in view of Picco and further in view of Trovato.

With regard to the rejection of Claims 14-16 as unpatentable over Alexander in view of Picco and further in view of Inoue, it is noted that Claims 14-16 are dependent from Claim 1, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Inoue does not cure any of the above-noted deficiencies of Alexander and Picco. Accordingly, it is respectfully submitted that Claims 14-16 are patentable over Alexander in view of Picco and further in view of Inoue.

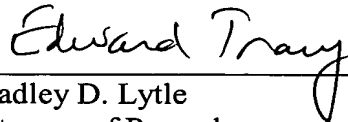
New Claims 27-29 are supported at least by original Claims 25 and 26. As new Claims 27-29 depend from Claim 1, new Claims 27-29 are believed to be patentable for at least the reasons discussed above with respect to Claim 1.

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Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

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